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**TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
NEN-23002/16

In re Application of: Blas Cerda

Application No.: 10/539,180-Conf. #2257

Filed: February 28, 2005

For: SIMULTANEOUS DETECTION OF METABOLIC ENZYME ACTIVITY AND METABOLITE
LEVELS

The owner, PerkinElmer LAS, Inc., of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending reference Application Number 10/539,273, filed on June 16, 2005,
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be
shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner
hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it
and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on
the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that
would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said
reference application, "as the term of any patent granted on said reference application may be shortened by any terminal
disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent: granted
on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a
court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims
cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term
as shortened by any terminal disclaimer filed prior to its grant.

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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
information and belief are believed to be true; and further that these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United
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2. ☒ The undersigned is an attorney or agent of record, Reg. No. 50,434

Signature

Sept. 4, 2008

Date

Julie K. Staple
Typed or printed name

(734) 913-9300

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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